

BRIAN SANDOVAL
Governor

STATE OF NEVADA

REPLY TO:

MEMBERS

Guy M. Wells, Chairman
Thomas "Jim" Alexander
Kevin E. Burke
Margaret Cavin
Joe Hernandez
Jan B. Leggett
Stephen P. Quinn



Southern Nevada
2310 Corporate Circle
Suite 200
Henderson, Nevada 89074
(702) 486-1100
Fax (702) 486-1190
Investigations (702) 486-1110

www.nscb.nv.gov

Northern Nevada
9670 Gateway Drive, Suite 100
Reno, Nevada 89521
(775) 688-1141
Fax (775) 688-1271
Investigations (775) 688-1150

STATE CONTRACTORS BOARD

MINUTES OF THE MEETING

July 22, 2015

CALL TO ORDER:

David Brown, Esq. called the meeting of the State Contractors Board to order at 8:30 a.m., Wednesday, July 22, 2015, State Contractors Board, Henderson and Reno, Nevada. Exhibit A is the Meeting Agenda and Exhibit B is the Sign in Log.

HEARING OFFICER:

Mr. Stephen P. Quinn

STAFF MEMBERS PRESENT:

Ms. Margi Grein, Executive Officer
Mr. Paul Rozario, Director of Investigations
Mr. George Lyford, Associate Director
Mr. Daniel Hammack, Chief of Enforcement

LEGAL COUNSEL PRESENT:

Mr. Jack Juan, Esq.
Mr. David Brown, Esq.

Ms. Grein stated the agenda was posted in compliance with the open meeting law on July 16, 2015, at Paseo Verde Library, Sawyer State Building and Clark County Library. The agenda was also posted in both offices of the Board, Henderson and Reno and on the Board's Internet Website.

HEARING OFFICER: Stephen P. Quinn

1. RECONSIDERATION OF DECISION AND ORDER DATED MAY 20, 2015:

SILVER STATE MARBLE, LLC, License Nos. 62776, 62894

Licensee was present and represented by Doris Nehme-Tomalka, Esq. at the hearing.

Charles Schwartz, Esq. was present representing Las Vegas Sands Corp. and Las Vegas Sands, LLC.

David Allsopp, Manager was present but not represented by counsel at the hearing.

The following Agency Exhibits were entered:

Exhibit 3 – Las Vegas Sands Corp. and Las Vegas Sands, LLC's Motion for Reconsideration and to Amend Decision and Order in Part.

Exhibit 4 – The Board's Decision for Respondents Las Vegas Sands Corp. and Las Vegas Sands, LLC's Request for a Reconsideration and to Amend the Board's Decision and Order dated May 21, 2015.

Hearing Officer Quinn ordered the license status on both licenses should be changed to voluntary

surrender.

2. DISCIPLINARY HEARING: (Continued from February 19, 2014, November 12, 2014, January 21, 2015)

LEO JOSEPH SANTORO, OWNER, dba L & S AIR CONDITIONING & HEATING, License No. 40987

Licensee was present and represented by Richard Peel, Esq. at the hearing.

Hearing Officer Quinn continued this matter for six (6) months.

3. DISCIPLINARY HEARING: (Continued from January 21, 2015, March 18, 2015, June 24, 2015)

SEQUOIA ELECTRIC, LLC, License No. 54261

BLAKE JOHN BARSY, OWNER, dba SEQUOIA ELECTRIC COMPANY, License No. 52529

SEQUOIA ELECTRIC UNDERGROUND, LLC, License No. 72343

SEQUOIA CONSTRUCTION, INC., License No. 75629

Licensee was present and represented by John Henry Wright, Esq. at the hearing.

The following Agency Exhibits were entered:

Exhibit 2 – A letter from the Wright Lee Group dated April 24, 2015.

Exhibit 3 – An e-mail from Wells Cargo, Inc. dated April 29, 2015 with attachments.

Exhibit 4 – A copy of the District Court Case Complaint between Wells Cargo, Inc. and the Respondents.

The following Licensee Exhibits were entered:

Exhibit A – Respondent's Answer to the Board's Complaint dated December 9, 2014.

Exhibit B – Respondents' financial statements dated May 31, 2015. (Confidential pursuant to NRS 624.265(3) and not open to public inspection.)

Hearing Officer Quinn dismissed the First Cause of Action. The license limit for Respondent Sequoia Electric, LLC's license, number 54261, was lowered to \$518,000.00. The license limit for Respondent Sequoia Electric Underground, LLC license, number 72343, was lowered to \$534,000.00. The Board accepted the voluntary surrender of license number 52529, Blake John Bary, Owner, dba Sequoia Electric Company.

4. DISCIPLINARY HEARING:

TRIANGLE CONSTRUCTION, INC., License Nos. 32494, 76268

Licensee was present and represented by Brian Berman, Esq. at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

The following Licensee Exhibits were entered:

Exhibit A – Respondent's Answer to the Board's Complaint dated April 21, 2015.

Exhibit B - Respondent's Answer to the Board's Amended Complaint dated June 23, 2015.

Exhibit C - Respondent's binder of exhibits.

Exhibit CC - A lien release for the Steinberg residence.

Hearing Officer Quinn found Respondent guilty of one (1) violation of NRS 624.3017(1) substandard workmanship; one (1) violation of NRS 624.3011(1)(b)(1) violation of the building laws of the State; one (1) violation of NRS 624.3014(2)(a) aiding or abetting an unlicensed person to evade the provisions of this chapter; one (1) violation of NRS 624.302(6) failure to comply with a written request from the Board; one (1) violation of NRS 624.3013(3) failure to establish financial responsibility; and one (1) violation of NRS 624.3018(2) certain persons are prohibited from serving as officer, director, associate or partner of licensee. The Second, Third, Sixth and Eighth Causes of Action were dismissed. Respondent was assessed a fine of \$250.00 for each of the First, Fourth and Seventh Causes of Action; a fine of \$500.00 for each of the Fifth and Ninth Causes of Action for total fines of \$1,750.00 and investigative costs of \$2,509.00. Restitution is ordered to Melissa Steinberg in the amount of \$3,500.00. All fines, investigative costs and restitution are to be paid within ninety (90) days of the July 22, 2015 hearing or license numbers 32494 and 76268, Triangle Construction, Inc. shall be suspended. License number 32494 is suspended until a current financial statement along with bank verification form that supports a license limit of \$240,000.00 is provided to the Board. If the financial statement does not support a \$240,000.00 license limit, the license limit shall be lowered to the amount the financial statement supports.

5. DISCIPLINARY HEARINGS: DEFAULT ORDERS

a. 7 STAR ENTERPRISE, LLC, License Nos. 75317, 76856, 77119

C. M. GENERAL CONTRACTING, License No. 76093

Licensee 7 Star Enterprise, LLC was not present but was represented by Nancy DiMaggio, Esq. at the hearing.

Licensee C. M. General Contracting was present but not represented by counsel at the hearing.

Hearing Officer Quinn dismissed the Board's Complaint against C. M. General Contracting, license number 76093 and continued this matter against 7 Star Enterprise, LLC, license numbers 75317, 76856 and 77119 to August 19, 2015. License numbers 75317, 76856 and 77119, 7 Star Enterprise, LLC were suspended, Board Action.

b. MICHAEL CHARLES MITCHELL, OWNER, dba OMNIBUILT, License No. 59025

Licensee was present but not represented by counsel at the hearing.

Hearing Officer Quinn continued this matter to September 23, 2015. License number 59025, Michael Charles Mitchell, Owner, dba Omnibuilt was suspended, Board Action.

c. BOB GLENN LEWIS, OWNER, dba BOB GLENN LEWIS, License No. 59335

Licensee was not present nor represented by counsel at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Hearing Officer Quinn found Respondent Bob Glenn Lewis, Owner, dba Bob Glenn Lewis, license number 59335 in default and adopted the Findings of Fact and Conclusion of Law as set forth in the Administrative complaint. The Respondent was found guilty of one (1) violation of NRS 624.3017(1) substandard workmanship; one (1) violation of NRS 624.3013(5), as set forth in NAC 624.700(3)(a) failure to comply with Board's Notice to Correct; one (1) violation of NRS

624.3013(5), as set forth in NAC 624.640(5) failure to include its license number and monetary license limit on its contracts; one (1) violation of NRS 624.3011(1)(b)(4) violation of the laws of this State regarding industrial insurance; and NRS 624.3013(3) failure to establish financial responsibility. Respondent was assessed a fine of \$1,000.00 for each of the First and Fourth Causes of Action; a fine of \$500.00.00 for each of the Second, Third and Fifth Causes of Action for total fines of \$1,500.00 and investigative costs of \$2,510.00. License number 59335, Bob Glenn Lewis, Owner, dba Bob Glenn Lewis was revoked. Respondent is required to make full restitution to all damaged parties and reimburse the Board for any monies paid out of the Residential Recovery Fund plus pay the fines and investigative costs prior to consideration of future licensure.

d. ADAY SOLUTIONS, LLC, License No. 79039

Licensee was present but not represented by counsel at the hearing.

Hearing Officer Quinn continued this matter to August 19, 2015. License number 79039, Aday Solutions, LLC was suspended, Board Action.

e. CREATIVE INTERIOR SOLUTIONS, LLC, License No. 78348

Licensee was not present nor represented by counsel at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Hearing Officer Quinn found Respondent Creative Interior Solutions, LLC, license number 78348 in default and adopted the Findings of Fact and Conclusion of Law as set forth in the Administrative complaint. The Respondent was found guilty of three (3) violations of NRS 624.3017(1) substandard workmanship; four (4) violations of NRS 624.3013(5), as set forth in NAC 624.700(3)(a) failure to comply with Board's Notice to Correct; four (4) violation of NRS 624.301(4) failure to prosecute a construction project with reasonable diligence; fifteen (15) violations of NRS 624.3013(5), as set forth in NRS 624.520(1) failure to provide Residential Recovery Fund notice to owner; fourteen (14) violations of NRS 624.301(2) abandonment of a construction project when the percentage of the project completed is less than the percentage of the total price of the contract paid to the contractor at the time of abandonment; two (2) violations of NRS 624.3011(1)(b)(1) violation of the building laws of this State; fifteen (15) violations of NRS 624.3013(5), as set forth in NAC 624.640(5) failure to include its license number and monetary license limit on its contracts; four (4) violations of NRS 624.302(5) failure to respond to a written request from the Board; four (4) violations of NRS 624.302(6) failure to comply with a written request from the Board; four (4) violations of NRS 624.3016(5), as set forth in NRS 624.600(1)(a)(b) failure to provide the required notices; twelve (12) violations of NRS 624.301(5) failure to comply with the terms of a construction contract; eleven (11) violations of NRS 624.301(1) abandonment of any construction project engaged in by the licensee as a contractor; and one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. Respondent was assessed a fine of \$1,000.00 for each of the First, Third, Fifth, Sixth, Eighth, Eleventh, Thirteenth, Fifteenth, Seventeenth, Twentieth, Twenty Second, Twenty Third, Twenty Fourth, Twenty Sixth, Twenty Ninth, Thirtieth, Thirty First, Thirty Fourth, Thirty Fifth, Thirty Sixth, Thirty Ninth, Fortieth, Forty First, Forty Fourth, Forty Fifth, Forty Sixth, Forty Ninth, Fiftieth, Fifty First, Fifty Fourth, Fifty Fifth, Fifty Sixth, Fifty Ninth, Sixtieth, Sixty First, Sixty Fourth, Sixty Fifth, Sixty Sixth, Sixty Ninth, Seventieth, Seventy First, Seventy Fourth, Seventy Fifth, Seventh Sixth, Seventy Ninth, Eighty First, Eighty Second, Eighty Fifth, Eighty Eighth, Eighty Ninth, Ninetieth, Ninety Third Causes of Action; a fine of \$500.00 for each of the Second, Ninth, Tenth, Twelfth, Eighteenth, Nineteenth, Twenty First, Twenty Seventh, Twenty Eighth, Eightieth, Eighty Sixth and Eighty Seventh Causes of Action; a fine of \$100.00 for each of the Fourth, Seventh, Fourteenth, Sixteenth, Twenty Third, Twenty Fifth, Thirty Second, Thirty Third, Thirty Seventh, Thirty Eighth, Forty Second, Forty Third, Forty Seventh, Forty Eighth, Fifty Second, Fifty Third, Fifty Seventh, Fifty Eighth, Sixty Second, Sixty Third, Sixty Seventh, Sixty Eighth, Seventy Second, Seventy Third, Seventy Seventh, Seventy Eighth, Eighty Third, Eighty Fourth, Ninety Second and Ninety Third Causes of Action for total fines of \$60,000.00 and

investigative costs of \$11,284.00. License number 78348, Creative Interior Solutions, LLC was revoked. Respondent is required to make full restitution to all damaged parties and reimburse the Board for any monies paid out of the Residential Recovery Fund plus pay the fines and investigative costs prior to consideration of future licensure.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by Hearing Officer Quinn at 12:19 p.m.

Respectfully Submitted,



Melinda Mertz, Recording Secretary

APPROVED:



Margi A. Grein, Executive Officer

Stephen P. Quinn, Hearing Officer